

Remarks/Arguments

35 U.S.C. §103

Claims 1-24, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Okamura (U.S. Patent No. 5,483,685) in view of Applicant's admitted prior art ("AAPA").

It is respectfully asserted that neither Okamura nor AAPA teach or suggest the steps of:

“storing first data representing said first digit within one of a first predetermined time interval for a first region and a second predetermined time interval for a second region; and processing said first data for selecting said broadcast program, wherein said first predetermined time interval and said second predetermined time interval are non-zero time intervals,”

as recited by the previously amended claim 1.

It is further respectfully asserted that the combination suggested in the Office Action of the teachings of Okamura with AAPA (i.e., “different versions of client software used in different regions”) both fails to exhibit all of the steps of the method of claim 1 and would fail to provide the benefits of the invention of claim 1, specifically, the elimination of the need for multiple versions of software for different regions.

Among the problems addressed by the present invention is the need for different channel selection techniques in different regions, specifically where different regions use different numbers of channels in their television systems, and the significant resources required for the development of separate versions of a product or its software for each region or provider. (Specification, page 1, line 17 through page 2, line 2)

To address these problems, the present invention uses a method which allows a single version of software to handle broadcast program selection differently depending upon the applicable region and/or broadcast source. Different predetermined time intervals may be used when performing broadcast program selection, depending upon the applicable region and/or broadcast source. For instance, a first predetermined time interval, such as one second or another time interval, may be used for time interval T1 in a first region (e.g., Europe/Asia, first service provider region, etc.), or a longer, second predetermined time

interval, such as 1.5 seconds or another time interval, may be used for time interval T1 in a second region (e.g., North America/South America, second service provider region, etc.). (Specification, page 7, lines 14-19 and Fig. 3)

In contrast, the goal of Okamura is to eliminate the pause before changing channels when it can be inferred that the channel number entry is complete. Okamura teaches a “receiver having a channel selection apparatus which is capable of receiving channels of the number of three digits, when the receiver is used in a zone having channels of the number of two digits or the number of one digit, a reference counting value corresponding to digits of the number of the channels is set in a counter. Counting operation of the counter is changed by changing the reference counting value and a channel selection time of a channel in the number of two digits or the number of one digit is reduced.” (Okamura Abstract)

In a system where the maximum channel number only has two digits, the Okamura “reference counting value” is set to “2” and the system does not wait the fixed time “T” after entry of the second digit. While Okamura describes the use of different reference count values based upon the number of available channels, it does not describe the use of different time values based upon region. Instead, Okamura describes a fixed time interval:

“The selection lag-time T is about 2.3 seconds, for example, and is equal to the selection lag-time T in the description of the related art.” (Okamura, column 3, lines 43-45)

Therefore, as admitted by the Office Action, “Okamura does not further teach using different non-zero time intervals between a first region and a second region.” (Office Action, page 3) Thus, it is respectfully submitted that Okamura fails to teach or suggest the steps of: “storing first data representing said first digit within one of a first predetermined time interval for a first region and a second predetermined time interval for a second region; and processing said first data for selecting said broadcast program, wherein said first predetermined time interval and said second predetermined time interval are non-zero time intervals,” as described in previously amended claim 1.

The Office Action then asserts that “it would have been obvious for the method of Okamura to have been implemented in multiple regions using different software versions depending on the region as taught by AAPA.” (Office Action, page 3, third full paragraph)

However, the use of different product versions or software versions by region is a problem the present invention was created to avoid. As explained in the Specification:

“The lack of a technique for selecting broadcast channels/programs that is conducive for use on a worldwide or global basis is problematic for various reasons. In particular, it requires consumer electronics manufacturers to develop multiple versions of software (i.e., one for each individual region) for enabling channel/program selection. Since user interaction methods for selecting broadcast channels/programs in different regions may differ significantly, a significant amount of resources may be dedicated for the development of these different versions of software. **The requirement of multiple (and perhaps significantly different) versions of such software in turn increases product development costs, which is generally disadvantageous for product manufacturers and/or consumers.**

“Accordingly, there is a **need for a method and apparatus for selecting broadcast programs that addresses the foregoing problems, and is thereby conducive for use on a worldwide or global basis.**” (Specification, page 1, line 27 through page 2, line 5, emphasis added)

Thus, the use of multiple versions of software, as suggested in the construction of the obviousness rejection, would negate the advantages of the present invention. Therefore, as the rejection fails to exhibit all of the elements of the claimed invention and fails to solve the problem solved by the present invention, it is respectfully asserted that the finding of obviousness based on AAPA regarding the use of multiple versions of software was improper.

In view of the above remarks, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Okamura or the cited AAPA, alone or in combination, which makes the present invention as claimed in previously amended claim 1 unpatentable. It is further submitted that independent claims 9 and 17 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-8, 10-16, and 18-24 are dependent from allowable claims 1, 9, and 17, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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